



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

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OFFICE OF  
INTERNATIONAL AFFAIRS

Ms. M. Dolores Wesson  
Chair, U.S. National Advisory Committee  
Coastal Observing Research and Development Center  
Marine Physical Laboratory  
Scripps Institution of Oceanography  
La Jolla, CA 92093-0202

Dear Ms. Wesson:

On behalf of Administrator Stephen L. Johnson, I would like to thank you for the National Advisory Committee's (NAC) advice of May 15, 2008 reporting on its April 2008 meeting.

Your spring advice provided valuable recommendations regarding several projects of the Commission on Environmental Cooperation (CEC). Your spring meeting focused on projects in the area of trade and environment, and I understand that upcoming meetings will explore projects related to information and capacity building, in order to prepare you for a more detailed discussion of the upcoming Strategic Plan for 2010-15, beginning in 2009. I look forward to your continuing advice as we move forward in this important work.

We appreciate your thoughtful comments concerning the CEC's Trade and Environment Program, particularly on the issue of improving the North American Symposium on Assessing the Environmental Effects of Trade and on the new program area on economic and environmental sustainability. The next Symposium is currently slated for 2010. Over the coming months, the parties and the Secretariat will begin to discuss the way forward, including whether the symposium structure is the appropriate vehicle for assessing the environmental effects of trade. Your advice will be very helpful as we design the next steps of this program. We will give particular attention to your suggestions about better defining the purpose and target audience for the output from the symposia, and using that information to identify key partners whom we can engage with early in the planning process.

You also provided some interesting ideas about how to encourage greater participation in the Symposia. As we begin to plan for the next event we will give careful consideration to these ideas. Finally, you have offered some interesting suggestions about how to improve the dissemination of the information presented in the Symposium. In that regard we note that portions of the 2005 Symposium were published in the journal *International Environmental Agreements: Politics, Law and Economics* (which may be found at:

<http://www.springerlink.com/content/q67703226772/?p=ab933a2a116e494abd4e746e82c71247&pi=4.>)

In addition, the CEC prepared and distributed a pamphlet on the results of the 2005 seminar that includes the author's summary of the papers presented at the Symposium and comments from the rapporteurs and discussants, as well as a compact disk containing the final version of each paper. This material was also posted on the CEC website

([http://www.cec.org/pubs\\_docs/documents/index.cfm?varlan=english&ID=1997](http://www.cec.org/pubs_docs/documents/index.cfm?varlan=english&ID=1997).) Efforts are underway to prepare similar material for the Fourth Symposium which was held in Phoenix, Arizona earlier this year. Those papers are currently being revised by the authors before being submitted for publication. If it is decided to move forward with planning the next Symposium, we will consider other methods of disseminating this information, including those which you have proposed.

We also welcome the discussion that we had during the most recent meeting and your subsequent comments on the question of how the CEC might best play a role in promoting an understanding throughout North America that environmentally sustainable business practices can benefit both the environment and the bottom line. In particular, we appreciate the presentation made by NAC member Dennis Aigner on the state of corporate social and environmental responsibility in business today. Your advice contains a number of interesting ideas about how to focus our work on this issue and we will use them as we further develop this project, initially in connection with the public outreach that the Trade and Environment Working Group will co-host with the Joint Public Advisory Committee at the end of the year. We hope that members of the NAC and GAC will be able to participate in that meeting. Additional information about the meeting will be provided as it is available.

Thank you for your three recommendations on the subject of import safety. Your first recommendation is that the Enforcement Working Group (EWG) prioritize training based on the potential risks associated with each type of noncompliant import. Certainly the first training module released to the public, for Ozone Depleting Substances (ODSs), targets an import stream that has been a major subject of law enforcement activity.

Your letter questions the effectiveness of e-learning materials for inspectors that is not required, since the concern is that few agents will use it and enforcement will not be improved. At the same time, customs authorities have advised us that they cannot afford to spare the time of their inspectors who are on duty at the ports to attend workshops, such as you recommend. We continue to believe that on-line training is a good, convenient medium for instruction but agree that the EWG must try to gain the commitment of the customs agencies to incorporate these courses into their basic training curriculum, and we agree that incentives which reward those who successfully complete the training can provide important motivation, and should be considered.

The NAC also recommends the use of enforcement campaigns where EPA agents, working with local border authorities, target a specific category of noncompliant products for a finite period of time, perform periodic, random campaigns, and institute performance measures. We agree that the collaboration of EPA enforcement personnel and U.S. Customs personnel in initiatives or "campaigns" designed with the features you suggest would complement and strengthen the learning experience that the web-based training courses or other instruction would provide to customs officers. EPA has had preliminary discussions with counterparts at the U.S. Bureau of Customs and Border Protection about the availability of the web-based courses but needs to continue the discussions to explore how the two agencies can cooperate on training opportunities. Your suggestions will be considered in this process.

We appreciate your interest in the development of electronic tools such as Radio Frequency Identification (RFID) technology for tracking hazardous wastes. We share your concern regarding funding for the RFID tracking program. EPA is currently working to identify potential sources of funding to allow initiation of the pilot project at the U.S./Mexico border. Finally, we agree with the NAC that successful enforcement actions should be publicized for the deterrent value that is created.

Thank you for your advice on the Article 13 Report "Green Building in North America." EPA shares your opinion on the quality and importance of the report, and will continue to consider the recommendations that have not yet been incorporated into our efforts. In fact, the federal government has efforts underway related to a number of the recommendations. For example, the report recommends working with a wide variety of partners on green building research. EPA is currently involved in a number of efforts to develop a comprehensive green building research agenda, as part of our emphasis on strengthening the scientific, technical, economic and institutional foundations of green building. These efforts have involved working with our federal partners, such as GSA, Department of Energy, and the National Science and Technology Council, as well as nonprofit organizations such as the United States Green Building Council. EPA will also be developing its own green building research agenda in the coming months, with the hope that the information resulting from such research can be used by the private and public sectors throughout North America to make more informed decisions. The report also suggests that the North American governments lead by example. EPA has developed a strong partnership with GSA as we continue to make progress in improving the environmental performance of not only EPA buildings, but all buildings in the federal government's inventory per Presidential Executive Order 13423, "Strengthening Federal Environmental, Energy, and Transportation Management," signed in January 2007.

We look forward to discussing these projects with you in more detail, and continuing to work together to strengthen the CEC as a catalyst for cooperative action, with relevance to United States constituencies and to North America. We look forward to seeing you at your fall meeting in Yuma, Arizona.

Sincerely,



Scott Fulton  
Alternate Representative for the  
United States

cc: Jeffrey N. Wennberg, Chair, U.S. Governmental Advisory Committee  
Jane Gardener, Chair, Joint Public Advisory Committee  
Members of the U.S. National Advisory Committee